

“Date”

Ms. Shelta J. Richardson, CEO
The Academy of Early Learning, Inc.
1213 Eastridge Drive
Slidell, LA 70458

RE: Ethics Board Docket No. 2020-811

Dear Ms. Richardson:

The Louisiana Board of Ethics, at its February 5, 2021 meeting, considered your request for an advisory opinion as to whether The Academy of Early Learning, Inc. may accept a grant funded by the Louisiana Department of Education and channeled through the St. Tammany Parish School Board on which you serve as an elected board member.

FACTS PROVIDED

You provided that you are the CEO for The Academy of Early Learning, a non-profit corporation, licensed as a child care center in Louisiana. You stated that you also serve as an elected board member for the St. Tammany Parish School Board. You stated that The Academy of Early Learning has applied for a community grant funded by the Louisiana Department of Education for the purpose of helping to keep child care centers open and operating during COVID-19. You stated that the Louisiana Department of Education funds the grant, however it is channeled through local school boards and the St. Tammany Parish School Board would be physically writing the check to The Academy of Early Learning. The St. Tammany Parish School Board provided a Coordinated Funding Request Guide for Early Childhood that indicated St. Tammany Parish was charged with ranking participating childcare centers because not all requests may be filled by the grant.

LAW

La. R.S. 42:1111C(2)(d) prohibits a public servant and a legal entity in which the public servant exercises control or owns an interest in excess of twenty-five percent, from receiving any thing of economic value for services rendered from a person who has or is seeking to obtain contractual or other business or financial relationships with the public servant's agency.

La. R.S. 42:1117 prohibits a public servant or other person from giving, paying, loaning, transferring, or delivering or offering to give, pay, loan, transfer, or deliver, directly or indirectly, to any public servant or other person any thing of economic value which such public servant or other person would be prohibited from receiving by any provision of this Part.

CONCLUSION

The Board concluded and instructed me to inform you, the Code of Governmental Ethics (Ethics Code) would prohibit The Academy of Early Learning from accepting a grant from the Louisiana Department of Education that is channeled through the St. Tammany Parish School Board. Since the St. Tammany Parish School Board would be ranking the participating childcare centers for qualification of the grant, The Academy of Early Learning would have a business or financial relationship with the St. Tammany Parish School Board. Because of this relationship and the fact that you receive compensation from The Academy of Early Learning, you would be in violation of

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La. R.S. 42:1111C(2)(d) and The Academy of Early Learning would be in violation of La. R.S. 42:1117 if it were to receive a grant from the Louisiana Department of Education.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts presented may result in a different application of the provisions of the Code of Ethics. The Board issues no opinion as to past conduct or laws other than the Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Act, and conflict of interest provisions in the gaming laws. If you have any questions, please contact me at (225) 219-5600 or (800) 842-6630.

Sincerely,

LOUISIANA BOARD OF ETHICS

Gregory L. Thibodeaux
For the Board

DISCLAIMER
This is a draft opinion and it is **NOT** an opinion of the Louisiana Board of Ethics.
No party may rely on the facts or conclusions. The analysis and conclusions herein are provided for discussion purposes only and are subject to change or revision at the meeting of the Board of Ethics at which this matter is considered.